

## REMARKS

In the Office Action mailed August 5, 2008, the Examiner required restriction to one of three "inventions": "Invention I" composed of claims 12-20; "Invention II" composed of claim 21 and "Invention III" composed of claim 22. It was asserted that claims 12-20 "are drawn to a radio communication system" but that is clearly wrong as claims 12-20 are directed to a "method for operating a radio communication system" (claim 12, line 1). Thus, it was improper to refer to claims 21 and 22 as subcombinations of "Invention I". Rather, they recite receiver and sending stations, respectively, that are used in the method recited in claim 12.

Furthermore, it is submitted that the method cannot be practiced without a receiver station like that recited in claim 21. Claim 12 recites "receiving a signal in a receiver station by way of a first transmitting channel from a sending station" (claim 12, lines 3-4), while claim 21 recites "a receiving unit receiving a signal from the sending station by way of a first transmitting channel" (claim 21, lines 3-4). Claim 12 also recites "determining, by the receiver station, a channel parameter of the first transmitting channel" (claim 12, line 5), while claim 21 recites "a determination unit determining a channel parameter of the first transmitting channel" (claim 21, lines 3-4). Lastly, claim 12 recites "adjusting a symbol parameter of at least a first data symbol to be transmitted from the receiver station to the sending station by way of a second transmitting channel, as a function of the channel parameter for communication of the channel parameter to the sending station" (claim 12, last 3 lines), while claim 21 recites

an adjustment unit changing a symbol parameter of at least one data symbol, to be transmitted from said receiver station to the sending station by way of a second transmitting channel, as a function of the channel parameter of the first transmitting channel for communication of the channel parameter to the sending station

(claim 21, last 4 lines). Thus, the "receiver station" recited on lines 3, 5 and 8 of claim 12, must meet all of the limitations of the receiver station recited in claim 21 and there is no reason to examine claims 12-20 separately from claim 21.

Similarly, it is submitted that the method cannot be practiced without a sending station like that recited in claim 22. Claim 22 recites "a transmission unit sending a signal by way of a first transmitting channel to the receiver station" (claim 22, lines 3-4) as required on lines 3-4 of claim 12. Claim 22 also recites "a receiver unit receiving from the receiver station at least one data symbol having a symbol parameter adjusted for communication of a channel parameter of the first transmitting channel as a function of the at least one channel parameter" as required on the last 3 lines of claim 12. Thus, the "sending station" recited on lines 4, 8 and 9 of claim 12

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must meet all of the limitations of the sending station recited in claim 22 and there is no reason to examine claims 12-20 separately from claim 22.

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Respectfully submitted,

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